

3

*file*

**THOMPSON  
HINE & FLORY LLP**

*Attorneys at Law*

(614) 469-3246 · Thomas E. Lodge · tom.lodge@thompsonhine.com

RECEIVED-DOCKETING DIV

00 NOV -6 PM 3:57

PUCO

November 6, 2000

Daisy Crockron, Chief of Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

Re: In the Matter of the Commission Ordered Investigation of the Existing  
Local Exchange Competition Guidelines, Case No. 99-998-TP-COI, et al.

Dear Ms. Crockron:

Enclosed are an original and ten (10) copies of the Outline of Ex Parte Discussion Between Members of The Ohio Telecommunications Industry Association and Commissioner Mason and representatives of the Staff, to be filed in connection with the above-referenced matter.

Thank you for your assistance. If you have any question, please feel free to call.

Very truly yours,

*Thomas E. Lodge*  
Thomas E. Lodge

TEL/th

cc: Charles R. Moses  
Vickie M. Norris

Enclosures

#234121.2

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician B. McCaul Date Processed 11/7/00

One Columbus 10 West Broad Street Columbus, Ohio 43215-3435 614-469-3200 fax 469-3361

BRUSSELS, BELGIUM CINCINNATI CLEVELAND COLUMBUS DAYTON PALM BEACH WASHINGTON, D.C.

BEFORE

RECEIVED-BOOKING DIV.

THE PUBLIC UTILITIES COMMISSION OF OHIO 00 NOV -6 PM 3:57

In the Matter of the Commission Ordered  
Investigation of the Existing Local Exchange  
Competition Guidelines.

)  
)  
)

Case No. 99-998-TP-COI

PUCO

In the Matter of the Commission Review of  
the Regulatory Framework for Competitive  
Telecommunications Services Under Chapter  
4927, Revised Code.

)  
)  
)  
)

Case No. 99-563-TP-COI

In the Matter of the Commission Ordered  
Investigation of an Elective Alternative  
Regulatory Framework for Incumbent Local  
Exchange Companies.

)  
)  
)  
)

Case No. 00-1532-TP-COI

OUTLINE OF EX PARTE DISCUSSION BETWEEN MEMBERS OF THE OHIO  
TELECOMMUNICATIONS INDUSTRY ASSOCIATION AND COMMISSIONERS

On October 31, 2000, representatives of the Ohio Telecommunications Industry Association ("OTIA")<sup>1</sup> met with Commissioner Mason and representatives of the Staff.

As respects Case No. 00-1532-TP-COI, the OTIA members discussed the OTIA's position concerning the following provisions of the Staff proposal:

- A) Requirement To Freeze Rates – A Rate Freeze with an indefinite cap is not economically feasible in a competitive environment.
- B) Lack Of Provision For Rate Rebalancing - Rate rebalancing is needed to offset dollar for dollar local rate increases against other reductions to be a viable service provider in a competitive environment.
- C) Advanced Services Commitment - Different ILECs serve different demographic areas and these differences should be recognized. The current concept regarding percentages of lines should be revised to reflect that individual companies will submit individual plans for Commission review and approval.

---

<sup>1</sup> Attendees were: K. Patrick Collins – Horizon Telecom; Vickie Norris – CenturyTel of Ohio; Mitchell Proctor – TDS Telecom; Tim Carney – ALLTEL Telephone Services; Don Marshall – Cincinnati Bell Telephone; Cheryl Burchard – Ohio Telecommunications Industry Association; Tom McCullough – Sprint; Jack Kennedy – Verizon; Thomas E. Lodge – Thompson Hine & Flory LLP; Kathy Hobbs – ALLTEL Telephone Services; and Charley Moses – Ohio Telecommunications Industry Association.

As respects combined Case Nos. 99-998-TP-COI and 99-563-TP-COI, the OTIA members discussed the following provisions of the Staff proposal:

A) Affiliate Requirements

- OTIA fully supports staff's efforts to ease unnecessary separate affiliate and accounting requirements.
- Competitive requirements should be identical for ILECs, CLECs and CLECs affiliated with ILECs.
- Competitive safeguards already exist.
- Competitive environment is new to the electric industry that may dictate additional safeguards but are unnecessary for telecommunications industry.
- PUCO should maintain pro-competitive approach and not require separate affiliates.

B) Cost Studies And Contract Filings

- conditions which require cost studies should be applicable to both CLECs and ILECs.
- The requirement to supply a cost study for a reduction in rate should be reconsidered.
- Staff's recommendation concerning end-user contracts is too comprehensive.
- Requirements for contracts determined to be ICB (Individual Cased Based) should be reviewed.

C) Tier Structure - Three Tiers are really unnecessary. A single "non-basic" tier will suffice.

Respectfully submitted,

THE OHIO TELECOMMUNICATIONS  
INDUSTRY ASSOCIATION

By: Thomas E. Lodge  
Thomas E. Lodge (0015741)

Thompson Hine & Flory LLP  
One Columbus  
10 West Broad Street, Suite 700  
Columbus, Ohio 43215-3435  
(614) 469-3200

Its Attorney